

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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METAVANTE CORPORATION,  
a Wisconsin corporation,

Plaintiff and Counterclaim-Defendant,

v.

Case No. 05-C-1221

EMIGRANT SAVINGS BANK,  
a New York corporation,

Defendant and Counterclaim-Plaintiff.

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**METAVANTE’S MOTION FOR LEAVE TO FILE UNDER SEAL**

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Plaintiff and Counterclaim-Defendant Metavante Corporation (“Metavante”) electronically filed its Fee Petition with the Court on July 30, 2009. Metavante’s Fee Petition relies, in part, on materials that contain information related to Metavante’s invoices and expenses in this litigation. These materials contain confidential and sensitive information that Metavante believes should be filed under seal.

In particular, the Fee Petition and supporting documents contain information about the rates and total fees for services charged to Metavante by its attorneys and retained experts. The rates charged by Metavante’s attorneys and experts are not public and are highly sensitive. Disclosure of this information could be damaging to Metavante, its attorneys, and its retained experts. In addition, the fee petition and supporting documents contain references to the total amount paid by Metavante in attorneys’ fees, experts’ fees, and costs. Metavante believes that its expenses constitute confidential and highly sensitive information that should not be publicly disclosed.

Accordingly, pursuant to General L.R. 79.4, Metavante respectfully moves for leave to file under seal certain portions of Metavante's Fee Petition and certain exhibits thereto.

The documents and exhibits that Metavante seeks to file under seal are as follows:

- Certain Portions of Metavante's Fee Petition
- Exhibit B to Metavante's Fee Petition — Declaration of Donald W. Layden, Jr. in Support of Metavante's Fee Petition
- Exhibit C to Metavante's Fee Petition — Declaration of Paul R. Garcia, P.C. in Support of Metavante's Fee Petition
- Exhibit D to Metavante's Fee Petition — Tables of Metavante's Fees and Expenses
- Exhibit E to Metavante's Fee Petition — Report of Payment of Kirkland Invoices
- Exhibit F to Metavante's Fee Petition — Excerpts of Kirkland's Invoices to Metavante
- Exhibit G to Metavante's Fee Petition — Redacted Excerpts of Kravit Hovel & Krawczyk's Invoices to Metavante
- Exhibit H to Metavante's Fee Petition — Hoover and Associates, LLC's Invoices to Metavante
- Exhibit I to Metavante's Fee Petition — Huron Consulting Group's Invoices to Metavante
- Exhibit J to Metavante's Fee Petition — LECG, LLC's Invoices to Metavante
- Exhibit K to Metavante's Fee Petition — Dr. George T. Ligler's Invoices to Metavante
- Exhibit L to Metavante's Fee Petition — Professor James M. Johannes's Invoices to Metavante
- Exhibit M to Metavante's Fee Petition — Aaron Bigman's Invoices to Metavante
- Exhibit N to Metavante's Fee Petition — I/S Management Strategies, Ltd.'s Invoices to Metavante

Accordingly, Metavante respectfully requests permission to file the foregoing materials under seal.

Dated: July 30, 2009

Respectfully Submitted,

By: /s/ Andrew B. Bloomer, P.C.  
Attorneys for:  
METAVANTE CORPORATION

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2009, I electronically filed with the Clerk of Court a true and correct copy of Plaintiff Metavante Corporation's Motion for Leave to File Under Seal and Proposed Order to File Under Seal using the CM/ECF system, which sent notification of such filing to the participants.

/s/ Andrew B. Bloomer, P.C.  
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